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ORDINANCE NO. 46-578

AN ORDINANCE CREATING SECTIONS 18.05.095, 18.05.285, 18.05.295, 18.05.312, 18.05.319, 18.05.322, 18.05.345, 18.05.375, 18.05.396, 18.05.397, 18.05.398, 18.05.399, 18.05.412, 18.05.413, 18.05.465, 18.05.467, 18.05.475, 18.05.476, 18.05.477, 18.05.665, 18.05.667, 18.05.785 AND 18.05.825; AMENDING SECTIONS 18.05.318, 18.05.395 AND 18.05.690; AND REPEALING THE ORIGINALS OF SAID AMENDED SECTIONS, ALL IN THE CODE OF THE CITY OF WICHITA, KANSAS, AND PERTAINING TO THE BUILDING CODES OF THE CITY OF WICHITA, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

**SECTION 01.** Section 18.05.095 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 104.11.1 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**104.11.1 Tests and research reports.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the

absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be preformed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

**SECTION 02.** Section 18.05.285 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 303.1 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**303.1 Assembly Group A.** Assembly Group A occupancy includes, among others, the use of a building or structure, or a portion thereof, for the gathering together of persons for purposes such as civic, social or religious functions, recreation, food or drink consumption or awaiting transportation. A room or space used for assembly purposes by less than 50 persons and accessory to another occupancy shall be included as part of that occupancy. Adult care facilities where occupants are capable of responding to an emergency situation without physical assistance from staff shall be classified as a Group A-3 occupancy.

Exception: A building or tenant space used for assembly purposes by less than 50 persons shall be considered a Group B occupancy.

Assembly occupancies shall include the following:

**A-1** Assembly uses, usually with fixed seating, intended for the production and viewing of the performing arts or motion pictures including, but not limited to:

Motion picture theaters

Television and radio studios admitting an audience

Theaters

**A-2** Assembly uses intended for food and/or drink consumption including, but not limited to:

Banquet halls

Night clubs

Restaurants

Taverns and bars

**A-3** Assembly uses intended for worship, recreation or amusement and other assembly uses not classified elsewhere in Group A, including, but not limited to:

Amusement arcades

Art galleries

Auditoriums

Bowling alleys

Churches

Community halls

Courtrooms

Dance halls

Exhibition halls

Funeral parlors

Gymnasiums

Indoor swimming pools

Lecture halls

Libraries

Museums

Passenger stations (waiting area)

Pool and billiard parlors

**A-4** Assembly uses intended for viewing of indoor sporting events and activities with spectator seating, including, but not limited to:

Arenas

Skating rinks

Swimming pools

Tennis courts

**A-5** Assembly uses intended for participation in or viewing outdoor activities including, but not limited to:

Amusement park structures

Bleachers

Grandstands

Stadiums

**SECTION 03.** Section 18.05.295 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 308.2 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**308.2 Group I-1.** This occupancy shall include a building or part thereof housing more than 16 persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff. This group shall include, but not be limited to, the following: residential board and care facilities, half-way houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug centers and convalescent facilities. A facility such as the above with ten or fewer persons shall be classified as a Group R-3. A facility such as the above, housing at least eleven and not more than 16 persons shall be classified as a Group R-4.

**SECTION 04.** Section 18.05.312 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 310.1 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**310.1 Residential Group “R.”** Residential Group R includes, among others, the use of a building or structure, or a portion thereof, for sleeping accommodations when not classed as an Institutional Group I. Residential occupancies shall include the following:

**R-1** Residential occupancies where the occupants are primarily transient in nature (less than 30 days) including:

Boarding houses (transient)

Hotels (including motels)

**R-2** Residential occupancies containing more than two dwelling units where the occupants are primarily permanent in nature, including:

Apartment houses

Boarding houses (not transient)

Convents

Dormitories

Fraternities and sororities

Monasteries

**R-3** Residential occupancies where the occupants are primarily permanent in nature and not classified as R-1, R-2 or I and where buildings do not contain more than two dwelling units, or adult and child care facilities that provide accommodations for ten or fewer persons of any age for less than 24 hours.

**R-4** Residential occupancies shall include buildings arranged for occupancy as Residential Care/Assisted living Facilities including more than ten but not more than 16 occupants, excluding staff.

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3 except for the height and area limitations provided in Section 503.

**SECTION 05.** Section 18.05.318 of the Code of the City of Wichita, is hereby amended to read as follows:

“Section 406.6.2 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**406.6.2 Mixed uses.** Mixed uses shall be allowed in the same building as a repair garage subject to the provisions of Section 302.3.

**SECTION 06.** Section 18.05.319 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 406.6.5 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**406.6.5 Heating equipment.** Heating equipment shall be placed in another room separated by a 2-hour fire barrier. Entrance shall be from the outside or by means of a vestibule providing a two doorway separation.

**Exceptions:**

1. Unit heaters suspended at least 8 feet (2438 mm) above the garage floor.
2. A single interior door shall be allowed provided the sources of ignition in the appliance are at least 18 inches (457 mm) above the floor.
3. Heating equipment located at least 8 feet (2438 mm) above the garage floor.

**SECTION 07.** Section 18.05.322 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 407.3 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**407.3 Corridor walls.** Corridor walls shall be constructed as smoke partitions in accordance with this section.

- 1.1 The walls shall be of materials permitted by the building type of construction.
- 1.2 Unless required elsewhere in the code, smoke partitions are not required to have a fire-resistance rating.
- 1.3 Smoke partitions shall extend from the floor to the underside of the floor or roof deck above or to the underside of the ceiling above where the ceiling membrane is constructed to limit the transfer of smoke.
- 1.4 Windows shall be sealed to resist the free passage of smoke or be automatic-closing upon detection of smoke. Doors in smoke partitions shall comply with this following:
  - a). Doors in smoke partitions shall not include louvers.
  - b). Where required elsewhere in the code, doors in smoke partitions shall be tested in accordance with UL 1784 with an artificial bottom seal installed across the full width of the bottom of the door assembly. The air leakage rate of the door assembly shall not exceed 3.0 cubic feet per minute per square foot [ft<sup>3</sup>/(min ft<sup>2</sup>)](0.015424 m<sup>3</sup>/sm<sup>2</sup>) of



the door opening at 0.10 inch (24.9 Pa) of water for both the ambient temperature test.

c). Where required elsewhere in the code, doors in smoke partitions shall be self-closing or automatic-closing in accordance with Section 714.

1.5 The space around penetrating items and in joints shall be filled with an approved material to limit the free passage of smoke.

1.6 Air transfer openings in smoke partitions shall be provided with a smoke damper complying with Section 715.

**Exception:** Where the installation of a smoke damper will interfere with the operation of a required smoke control system in accordance with Section 909, approved alternative protection shall be utilized.

**SECTION 08.** Section 18.05.345 of the Code of the City of Wichita, is hereby created to read as follows:

**Group A-3 buildings.** The area of a one-story, Group A-3 building of type I or II construction shall not be limited when all of the following criteria are met:

1. The building shall not have a stage other than a platform.
2. The building shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.
3. The assembly floor shall be located at or within 21 inches (533 mm) of street grade level and all exits are provided with ramps complying with Section 1003.3.4 to the street or grade level.

**Exception:** Building elements that are part of a religious practice or ceremony with a design capacity of less than 10 persons.

4. The building shall be surrounded and adjoined by public ways or yards of not less than 60 feet (18288 mm) in width.

**SECTION 09.** Section 18.05.375 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 704.9 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**704.9 Vertical separation of openings.** Openings in exterior walls in adjacent stories shall be separated vertically to protect against fire spread on the exterior of the buildings where the openings are within 5 feet (1524 mm) of each other horizontally and the opening in the lower story is not a protected opening in accordance with Section 714.3.7. Such openings shall be separated vertically at least 3 feet (914 mm) by spandrel girders, exterior walls or other similar assemblies that have a fire-resistance rating of at least 1 hour or by flame barriers that extend horizontally at least 30 inches (762 mm) beyond the exterior wall. Flame barriers shall also have a fire-resistance rating of at least 1 hour. The unexposed surface temperature limitations specified in ASTM E 119 shall not apply to the flame barriers or vertical separation unless otherwise required by the provisions of this code.

**Exceptions:**

1. This section shall not apply to buildings that are three stories or less in height.

2. This section shall not apply to buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
3. Open parking garages.

**SECTION 10.** Section 18.05.395 of the Code of the City of Wichita, is hereby amended to read as follows:

“Section 705.1 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**705.1 General.** Each portion of a building separated by one or more fire walls that comply with the provisions of this section shall be considered a separated building. The extent and location of such fire walls shall provide a complete separation. Where a fire wall also separates groups that are required to be separated by a fire barrier wall, the most restrictive requirements of each separation shall apply. Fire walls located on property lines shall also comply with Section 503.2. Such fire walls (party walls) shall be constructed without openings.

**Exceptions:** 1. Area separation walls constructed prior to the adoption of this code may be increased in length by not more than 25 percent of the length of the existing wall, not to exceed (30) feet. The method of construction and fire rating of the additional wall length shall be in general conformance to that of the existing wall.

2. Where building separation is required by the adopted electrical code to allow for multiple electrical services, the firewall may be constructed in accordance with the

provisions of a two-hour fire barrier per Section 706. If the fire wall coincides with that of a required fire barrier, then the most restrictive requirement shall apply. For allowable area purposes, the building is considered as one structure with no benefit derived from the fire wall.

**SECTION 11.** Section 18.05.396 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 706.4 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**Section 706.4 Continuity.** Fire barriers shall extend from the top of the floor/ceiling assembly below to the underside of the floor or roof slab or deck above and shall be securely attached thereto. These walls shall be continuous through concealed spaces such as the space above a suspended ceiling. The supporting construction shall be protected to afford the required fire-resistance rating of the fire barrier supported except for 1-hour fire-resistance-rated incidental use area separations as required by Table 302.1.1 in buildings of Type IIB, IIIB and VB construction. Hollow vertical spaces within the fire barrier wall shall be firestopped in every floor level.

**Exceptions:**

1. The maximum required fire-resistance rating for assemblies supporting fire barriers separating tank storage as provided for in Section 415.7.2.1 shall be 2 hours, but not less than required by Table 601 for the building construction type.

2. Shaft enclosure shall be permitted to terminate at a top enclosure complying with Section 707.12.
3. Protection of supporting construction of a fire barrier required to extend through a concealed space of an exterior architectural element is not required where the use below is transient in nature and has little or no impact to fire loading.

**SECTION 12.** Section 18.05.397 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 707.4 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**707.4 Fire-resistance rating.** Shaft enclosures including exit enclosures shall have a fire-resistance rating of not less than 2 hours where connecting four stories or more and 1 hour where connecting less than four stories. The number of stories connected by the shaft enclosure shall include any basements but not any mezzanines. Shaft enclosures shall have a fire-resistance rating not less than the floor assembly penetrated, but need not exceed 2 hours.

**SECTION 13.** Section 18.05.398 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 711.3.2 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**711.3.2 Membrane penetrations.** Membrane penetrations shall comply with Section 711.3.1. Where walls and partitions are required to have a minimum 1-hour fire-

resistance rating, recessed fixtures shall be installed such that the required fire resistance will not be reduced.

**Exceptions:**

1. Steel electrical boxes that do not exceed 16 square inches (0.0103 m<sup>2</sup>) in area provided the total area of such openings does not exceed 100 square inches (0.0645 m<sup>2</sup>) for any 100 square feet (9.29 m<sup>2</sup>) of wall area. Outlet boxes on opposite sides of the wall shall be separated as follows:
  - 1.1 By a horizontal distance of not less than 24 inches (610 mm).
  - 1.2 By a horizontal distance of not less than the depth of the wall cavity is filled with cellulose loose-fill or mineral fiber insulation.
  - 1.3 By solid fire-blocking in accordance with Section 716.2.1;
  - 1.4 By protecting both outlet boxes by listed putty pads; or
  - 1.5 By other listed materials and methods.
2. Membrane penetrations for listed electrical outlet boxes of any material are permitted provided such boxes have been tested for use in fire-resistance-rated assemblies and are installed in accordance with the instructions included in the listing. Outlet boxes on opposite sides of the wall shall be separated as follows:
  - 2.1 By a horizontal distance of not less than 24 inches (610 mm);
  - 2.2 By solid fireblocking in accordance with Section 716.2.1
  - 2.2 By protecting both outlet boxes by listed putty pads; or
  - 2.3 By other listed materials and methods.

3. The annular space created by the penetration of a fire sprinkler provided it is covered by a metal escutcheon plate.

**SECTION 14.** Section 18.05.399 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 713.5 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**713.5 Exterior structural members.**

Load-bearing structural members located within the exterior walls or on the outside of a building or structure shall be provided with the highest fire-resistance rating as determined in accordance with the following:

1. As required by Table 601 for the type of building element based on the type of construction of the building;
2. As required by Table 601 for exterior bearing walls based on the type of construction; and;
3. As required by Table 602 for exterior walls based on the fire separation distance.

**SECTION 15.** Section 18.05.412 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 715.6.1 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**715.6.1 Through penetrations.** In occupancies other than Groups I-2 and I-3, a duct and air transfer opening system constructed of approved materials in accordance with the *International Mechanical Code* that penetrates a fire-resistance-rated

floor/ceiling assembly that connects not more than two stories is permitted without shaft enclosure protection provided a fire damper is installed at the floor line.

**Exception:** A duct is permitted to penetrate three floors or less without a fire damper at each floor provided it meets the following requirements:

1. The duct shall be contained and located within the cavity of a wall and shall be constructed of steel not less than 0.019 inch (0.48 mm)(26 gage) in thickness.
2. The duct shall open into only one dwelling unit or sleeping unit and the duct system shall be continuous from the unit to the exterior of the building.
3. The duct shall not exceed 4-inch (102 mm) nominal diameter and the total area of such ducts shall not exceed 100 square inches (0.065 m<sup>2</sup>) any 100 square feet (9.3 m<sup>2</sup>) of floor area.
4. The annular space around the duct is protected with materials that prevent the passage of flame and hot gases sufficient to ignite cotton waste where subjected to ASTM E 119 time-temperature conditions under a minimum positive pressure differential of 0.01 inch (2.49 Pa) of water at the location of the penetration for the time period equivalent to the fire-resistance rating of the construction penetrated.
5. Grill openings located in a ceiling of a fire-resistance-rated floor/ceiling or roof/ceiling assembly shall be protected with a ceiling radiation damper in accordance with Section 715.6.2.



**SECTION 16.** Section 18.05.413 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 715.6.2 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**715.6.2 Membrane penetrations.** Where duct systems constructed of approved materials in accordance with the International Mechanical Code penetrate a ceiling of a fire-resistance-rated floor/ceiling or roof/ceiling assembly, shaft enclosure protection is not required provided an approved ceiling radiation damper is installed at the ceiling line. Where a duct is not attached to a diffuser that penetrates a ceiling of a fire-resistance-rated floor/ceiling or roof/ceiling assembly, shaft enclosure protection is not required provided an approved ceiling radiation damper is installed at the ceiling line. Ceiling radiation dampers shall be installed in accordance with UL 555C and constructed in accordance with the details listed in a fire-resistance-rated assembly or shall be labeled to function as a heat barrier for air-handling outlet/inlet penetrations in the ceiling of a fire-resistance-rated assembly. Ceiling radiation dampers shall not be required where ASTM E 119 fire tests have shown that ceiling radiation dampers are not necessary in order to maintain the fire-resistance-rating of the assembly. Ceiling radiation dampers shall not be required where exhaust duct penetrations are protected in accordance with Section 711.3.2 and the exhaust ducts are located within the cavity of a wall, and do not pass through another dwelling unit or tenant space.

**SECTION 17.** Section 18.05.465 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 903.2.11 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**903.2.11 Group S-2.** An automatic sprinkler system shall be provided throughout buildings having a fire area that exceeds 12,000 square feet (1115 m<sup>2</sup>) and classified as ~~an~~ enclosed parking garages in accordance with Section 406.4 or where located beneath other groups.

**Exception:** Enclosed parking garages located beneath Group R-3 occupancies as applicable in Section 101.2.

**SECTION 18.** Section 18.05.467 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 903.2.11.1 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**903.2.11.1 Commercial parking garages.** An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses where the fire area exceeds 12,000 square feet (1115 m<sup>2</sup>).

**SECTION 19.** Section 18.05.475 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 907.2.1 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**907.2.1 Group A.** A manual fire alarm system shall be installed in accordance with NFPA 72 in rooms containing Group A occupancies having an occupant load of 300

or more. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

**Exception:** Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system and the notification appliances will activate upon sprinkler water flow.

**SECTION 20.** Section 18.05.476 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 9.10.3.4 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**910.3.4 Curtain boards.** Where curtain boards are required, they shall be provided in accordance with this section. The requirement for curtain boards in buildings designed to accommodate high-piled stock, as defined by the International Fire Code, shall be in accordance with IFC Table 2306.2.

**SECTION 21.** Section 18.05.477 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 907.2.1.1 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**907.2.1.1 System initiation in rooms containing Group A occupancies with an occupant load of 1000 or more.** Activation of the fire alarm in rooms containing Group

A occupancies with an occupant load of 1000 or more shall initiate a signal using an emergency voice/alarm communications system in accordance with NFPA 72.

**Exception:** Where approved, the prerecorded announcement is allowed to be manually deactivated for a period of time, not exceed 3 minutes, for the sole purpose of allowing a live voice announcement from an approved constantly attended location.

**SECTION 22.** Section 18.05.665 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 1003.3.3.5.1 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**1003.3.3.5.1 Stairway walking surface.** The walking surface of treads and landings of a stairway shall not be sloped steeper than one unit vertical in 48 units horizontal (2-percent slope) in any direction. Stairway treads and landings shall have a solid surface. Finish floor surfaces shall be securely attached.

**Exceptions:**

1. Perforated openings for drainage on exterior stairs shall not be prohibited provided a sphere with a diameter of 0.1875 inches (3/16 inch; 5mm) cannot pass through the opening.
2. In Group F, H, and S occupancies, other than areas of parking structures accessible to the public, openings in treads and landing platforms shall not be prohibited provides a sphere with a diameter or 1.125 inches (29 mm) cannot pass through the opening.

**SECTION 23.** Section 18.05.667 of the Code of the City of Wichita, is hereby created to read as follows:

“Section 1003.3.3.5.2 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**1003.3.3.5.2 Outdoor conditions.** Outdoor stairways and outdoor approaches to stairways shall be designed so that water will not accumulate on walking surfaces.

**SECTION 24.** Section 18.05.690 of the Code of the City of Wichita, is hereby amended to read as follows:

“Section 1101.2 of the International Building Code, as adopted by reference herein, shall be amended to read as follows:

**1101.2 Design standards for temporary and permanent buildings.** Group A, B, E, F, H, I, M, R-1 and S Occupancies shall be designed and constructed in accordance with the current guidelines of the American’s with Disabilities Act (ADA), except as modified by this chapter. The exclusion of private clubs and religious entities from accessibility requirements referenced in ADA does not apply.

Accessible routes shall coincide with or be located in the same area as a general circulation path. Where the circulation path is interior, the accessible route shall also be interior. The provisions of this section are not intended to substitute or alleviate greater levels of accessibility that may be required on projects involving governmental funding or which require approval by other governmental agencies. Nor are the provisions of this section intended to reduce or eliminate any of the provisions of the American’s with Disabilities act as established by Federal law.

**Exceptions:**

1. Floors or portions of floors not customarily occupied, including, but not limited to, elevator pits; observation galleries used primarily for security

purposes; elevator penthouses; nonoccupiable spaces accessed only by ladders, catwalks, crawl spaces or freight elevators; and equipment catwalks; and machinery, mechanical and electrical equipment rooms.

2. Subject to the approval of the building official, areas where work cannot reasonably be performed by persons having a severe impairment (mobility, sight or hearing) need not have specific features which provide accessibility to such persons. Any approval is contingent upon receipt of a letter from the employer's Personnel Department, along with a job description and qualifications statement from the employer, adequate to show that the employer has specified that the work cannot be reasonably performed by a person having a severe impairment (mobility, sight or hearing).
3. Temporary structures, sites and equipment directly associated with the construction process such as construction site trailers, scaffolding, bridging or material hoists are not required to be accessible. This exception does not include walkways or pedestrian protection required by Chapter 33.
4. Subject to the approval of the building official, private clubs and religious entities may appeal accessibility provisions under IBC Section 104.10 and 104.11.
5. Facilities for children may be designed in accordance with the Accessibility Guidelines for Children's Facilities; Proposed Rule dated July 22, 1996 in lieu of ADA guidelines. Specific elements, such as

restroom stalls, will require full compliance with whichever guideline is selected by the designer.

**Side reach range.** If the clear floor space allows for a parallel approach by a person in a wheelchair, the maximum high side reach allowed shall be 48 inches (1220 mm) and the low side reach shall be no less than 15 inches (380 mm) above the floor.

**Water closet flush controls.** Flush controls for water closets shall be automatic or mounted on the wide side of toilet areas no more than 44 inches (1120 mm) above the floor.

**SECTION 25.** Section 18.05.785 of the Code of the City of Wichita, is hereby created to read as follows:

**Counters and bars.** Where alcoholic beverages are served at a counter or bar exceeding 34 inches (865 mm) in height for consumption by customers seated on stools or standing at the counter or bar, a portion of the main counter or bar which is 60 inches (1525 mm) in length minimum shall be provided in compliance with Section 4.32 of the American's with Disabilities Act.

**Exception:** Counters or bars with a design occupant load of 10 persons or less and where service is available at accessible tables within the same area.

**SECTION 26.** Section 18.05.825 of the Code of the City of Wichita, is hereby created to read as follows:

**Parking Space Design.** Effective on or after January 1, 2006 for building permits reviewed and issued for new construction projects/development that require or

provide new parking; new, expanded or re-constructed parking lots; or parking lots that are being re-striped as part of a building permit, all accessible parking spaces shall be designed and installed in accordance with the “Universal Parking Design” standards of Appendix Section A4.6.3 of the Americans with Disabilities Act Accessibility Guidelines, as amended.

**SECTION 27.** The originals of Sections 18.05.318, 18.05.395 and 18.05.690 of the Code of the City of Wichita are hereby repealed.

**SECTION 28.** This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be published once in the official paper.

ADOPTED at Wichita, Kansas, this 26<sup>th</sup> day of April, 2005.

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Carlos Mayans, Mayor

ATTEST:

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Karen Sublett, City Clerk

Approved as to Form:



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Gary E. Rebenstorf, Director of Law